



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,575	02/12/2004	Joseph Stanley Czysteczewski	BLD920030010US1	5992
50441 7590 05/13/2009 DUFT BORNSSEN & FISHMAN, LLP 1526 SPRUCE STREET SUITE 302 BOULDER, CO 80302				
EXAMINER				
PILLAI, NAMITHA				
ART UNIT		PAPER NUMBER		
2173				
MAIL DATE		DELIVERY MODE		
05/13/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/777,575

**Applicant(s)**

CZYSZCZEWSKI ET AL.

**Examiner**

NAMITHA PILLAI

**Art Unit**

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3, 5, 6, 9-12, 15-17 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5, 6, 9-12, 15-17 and 21-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. The Examiner acknowledges Applicant's submission on 1/27/09 including amendments to claims 1, 11 and 15. All pending claims have been rejected in view of the prior art disclosed below.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1, 3, 5, 6, 9-12, 15-17 and 21-24 are rejected under 35 U.S.C. 101 because the claims are directed to an apparatus but does not disclose that the apparatus comprises a physical hardware device.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 5, 6, 9-11, 15-17 and 21-24 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 7,180,638 B1 (Hou et al.), herein referred to as Hou.

Referring to claim 1, Hou discloses a multifunction device comprising a communication module configured to communicate with a server over a network (column 1, lines 7-9 and column 2, lines 18-20). Hou discloses a controller module configured to control the operation of the multifunction device and interface with a business application executing on the server (column 2, lines 21-29). Hou discloses that the server provides a business application interface to the multifunction device for interfacing to the business application (column 2, lines 21-23). Hou discloses a user interface module configured to present the business application interface from the server on a display integral to the multifunction device and to provide input and output fields for the business application interface to a user for user input (column 2, lines 18-23 and Figure 4). Hou discloses a source interface module configured to receive input data from at least one document data source (column 2, lines 47-50). Hou discloses that the controller module further configured to transmit the input data from the at least one document data source and the user input to the business application executing on the server (column 2, lines 41-50). Hou discloses a target interface module configured to output the input data from the at least one document data source and the user input as processed document data (column 2, lines 50-53).

Referring to claim 3, Hou discloses a plurality of application integration modules configured to interface with a specific business application executing on the server (Figure 2).

Referring to claim 5, Hou discloses that the user interface module is further configured to allow the user to customize the business application interface (column 5, lines 12-17).

Referring to claim 6, Hou discloses further comprising a scanning device configured to transmit document data to the source interface (column 4, lines 1-6).

Referring to claim 9, Hou discloses that the target module is configured to output the processed document data as a facsimile (column 4, lines 1-6).

Referring to claim 10, Hou discloses that the target module is further configured to output the processed document data as an e-mail (column 1, lines 32-35).

Referring to claim 11, Hou discloses that the target module is further configured to output the processed document data to a printer on the multifunction device (column 4, lines 1-6).

Referring to claim 15, Hou discloses a computer network system comprising a server connected to a network and configured to provide business application interfaces to a multifunction device for interfacing to business applications executing on the server (column 1, lines 7-9 and column 2, lines 18-20). Hou discloses a user interface module within the multifunction device configured to communicate with a plurality of multifunction devices over the network (Figure 2). Hou discloses a facsimile module within the multifunction device, configured to send facsimiles (column 4, lines 36-40). Hou discloses an e-mail module within the multifunction device, configured to send e-mails (column 9, line 66-column 10, line 3). Hou discloses a controller module within the multifunction device configured to control the operation of the multifunction device

and interface with the business applications executing on the server (Figure 3 and column 5, lines 4-23). Hou discloses that the user interface module within the multifunction device further configured to present the business application interfaces from the server on a display integral to the multifunction device and provide input and output fields for the business application interfaces to a user for user inputs (column 2, lines 18-23, Figures 4 and 5). Hou discloses a source interface module within the multifunction device configured to receive input data from at least one document data source (column 2, lines 47-50). Hou discloses that the controller module within the multifunction device further configured to transmit the input data from the at least one document data source and the user inputs to the business applications executing on the server (column 2, lines 41-50).

Referring to claim 16, Hou disclose that the facsimile module comprises a facsimile apparatus configured to communicate with the server over the network (Figure 3).

Referring to claim 17, Hou disclose that the e-mail module comprises an e-mail server configured to communicate with the server over the network (column 9, line 66-column 10, line 3).

Referring to claim 21, Hou discloses that the user interface module is further configured to modify the business application interface based on an identity of the user (column 5, lines 12-17).

Referring to claim 22, Hou discloses that the user interface module is further configured to receive programs from the server based on the identity of the user, and

wherein the programs are operable to modify the operation of the multifunction device (column 5, lines 8-63).

Referring to claim 23, Hou discloses that the user interface module is further configured to modify the business application interface based on an identity of the user (column 5, lines 12-17).

Referring to claim 24, Hou discloses that the user interface module is further configured to receive programs from the server based on the identity of the user, and wherein the programs are operable to modify the operation of the multifunction device (column 5, lines 8-63).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hou and U. S. Patent No. 5,361,134 (Hu et al.), herein referred to as Hu.

Referring to claim 12, Hou does not disclose that the user interface module is further configured to interface with a touch screen to allow the user input. Hu discloses interfacing with a touch screen to allow the user input (column 4, lines 57-61). It would have been obvious to one skilled in the art at the time of the invention to learn from Hu interfacing with a touch screen to allow the user input. As Hu discloses, a touch screen is a known form of user input that one skilled in the art uses to input data. Therefore, it

would have been obvious to one skilled in the art at the time of the invention to learn from Hu interfacing with a touch screen to allow the user input.

***Response to Arguments***

5. Applicant's arguments filed 1/27/09 have been fully considered but they are not persuasive.

The amendment to the claims disclose that a display integral to the multifunction device is used to present the business application interface. The display Figure 4 that is provided to the user is integral for user input and output of data.

Therefore a display integral for displaying this data is provided to the user and integral for the multifunction device to carry out its functionality.

***Conclusion***

6. Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related correspondence to be: a) faxed to the Central Fax number (571-273-8300) b) hand carried or delivered to the Customer Service Window (located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAMITHA PILLAI whose telephone number is (571) 272-4054. The examiner can normally be reached from 9:00 AM - 5:30 PM.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on (571) 272-4057.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Namitha Pillai  
Patent Examiner  
Art Unit 2173  
May 11, 2009

/Namitha Pillai/

Application/Control Number: 10/777,575

Page 9

Art Unit: 2173

Primary Examiner, Art Unit 2173